

Amendment No. 1 to SB0915

Bell
Signature of Sponsor

AMEND Senate Bill No. 915*

House Bill No. 1072

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 27, Chapter 1, is amended by adding the following language as a new section:

(a) In an action brought against this state, a department or agency of this state, or an official of this state in their official capacity that challenges the constitutionality of a state statute, the state may appeal as of right from an interlocutory order of a circuit or chancery court of this state that:

- (1) Grants, continues, or modifies an injunction; or
- (2) Denies a motion to dissolve or modify an injunction.

(b) An interlocutory appeal by the state under subsection (a) stays any injunction issued by the court pending the final outcome of the appeal.

SECTION 2. Tennessee Code Annotated, Section 29-14-103, is amended by designating the existing language as subsection (a) and adding the following new subsection:

(b) Notwithstanding subsection (a), this chapter does not permit a municipality, county, or any other political subdivision of this state to bring or fund an action against this state, any department or agency of this state, or an official of this state in their official capacity to determine the constitutionality of a state statute.

SECTION 3. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 4. This act takes effect July 1, 2021, the public welfare requiring it, and applies to all causes of action arising on or after that date.